WP(C) 1668/2007

BEFORE

THE HON’BLE MR JUSTICE I. A. ANSARI

A selection process for filling up of the backlog vacancies of Scheduled Caste and Scheduled Tribes was taken up for the high schools in the district of North Lakhimpur. The petitioner and the respondent No.4 herein were candidates in such a selection process. It is the grievance of the writ petitioner that the guidelines, issued by the Government for the purpose of making selection, have not been followed by the selection Board concerned. It is also the grievance of the writ petitioner that she is a better qualified candidate than the respondent No.4 and that there were major irregularities in selecting the respondent No.4 to fill up the post of Assistant Teacher in the high school ignoring the better claim of the writ petitioner.

Heard Mr. B Buragohain, learned counsel for the petitioner, and Ms. M Gogoi, learned counsel for the respondent Nos. 1, 2 and 3.

Considering the matter in its entirety and in the interest of justice, it is hereby directed that the respondent No. 2, namely, Director, Secondary Education, Assam, Kahilipara, Guwahati, shall look into the grievances of the writ petitioner and hold, if necessary, an appropriate inquiry, in this regard, and take a decision in accordance with law by taking into account all the relevant facts and relevant guidelines issued by the State Government. Whatever decision is arrived at by the respondent No.2, the same shall be communicated, in writing, to the petitioner. The whole exercise, so directed, shall be completed within a period of six weeks from the date of receipt of a certified copy of this order by the respondent No.2. The petitioner shall furnish to the respondent No.2 a certified copy of this order along with a copy of the writ petition and annexures thereto. If the petitioner feels aggrieved by the decision, which may be arrived at by the respondent No. 2, the petitioner shall be at liberty to take recourse to such provisions of law as may be permissible. If the respondent No.4 has not yet been appointed in consequence of the selection process aforementioned, no appointment order shall be issued to her until the time the decision is reached by the respondent No.2 in terms of the directions given hereinbefore.

With the above observations and directions, this writ petition shall stand disposed of.